

EXHIBIT A

Edward Takashima

From: Andrea P Roberts <andreasroberts@quinnmanuel.com>
Sent: Tuesday, July 11, 2017 12:27 PM
To: Edward Takashima; QE-Waymo
Cc: UberWaymoMoFoAttorneys; BSF_EXTERNAL_UberWaymoLit; 'DG-GP Otto Trucking Waymo'; 'John Cooper (JCooper@fbm.com)'; 'Matthew Cate (MCate@fbm.com)'
Subject: RE: Waymo: Uber's Deposition Lists

John, we request a meet and confer this afternoon to try to resolve issues that remain with respect to depositions so that we can get the remainder scheduled before the close of fact discovery. We would like to discuss the following:

1. When Defendants will provide available dates for the deponents included in David Perlson's June 28 email. Defendants have had that list for nearly 2 weeks and have not provided any available dates. We expect to have available dates for the witnesses listed in Ed's July 3 email later today.
2. Uber's objection below to Waymo taking separate 30(b)(6) depositions of Uber and Ottomotto and request to take separate 30(b)(6) depositions of Waymo. Since Uber and Ottomotto are separate entities, and Waymo is one entity, we do not understand what Uber and Ottomotto are proposing.
3. Uber's objection to Waymo deposing Bill Gurley. We seek his deposition because he received the due diligence report and, as a member of Uber's Board of Directors, is expected to have knowledge of Uber's business plans and strategy for its self-driving car program, reasons why the Board approved of the acquisition of Otto, what information was disclosed to the Board before that decision was made, what Uber knew and when Uber knew it. Indeed, media reports suggest that Gurley led the campaign that led to Kalanick's removal, and that the litigation was a factor. (<https://www.bloomberg.com/news/articles/2017-06-22/kalanick-s-ouster-as-uber-ceo-began-with-a-hand-delivered-letter>) If Uber is going to maintain its position that it will not make Mr. Gurley available for deposition, we would like to discuss a briefing schedule for a motion to compel. Additionally, we are evaluating whether we will be seeking depositions of additional Board members and will let Uber know this week.
4. Uber's objection to the deposition of witnesses who have already been deposed. The Court's Orders and the parties' conduct in the case have all been with understanding that there is no limitation on deposing witnesses again. Further, Uber's position on this issue is inconsistent with its own list of deponents, which includes deponents that Defendants already deposed: Gary Brown, Daniel Chu, and Pierre Yves-Droz. If Uber is going to maintain its position that it will not make witnesses available for another deposition, we would like to discuss a briefing schedule for a motion to compel, in which we will seek our fees and costs for this specious position.
5. Uber's objection to Waymo taking more than 15 party depositions without seeking leave of Court or an agreement between the parties. There is no basis for this objection. Indeed, Uber has also requested to take more than 15 party depositions. If Uber is going to maintain its position that it will not provide dates for all of the witnesses Waymo has requested, we would like to discuss a briefing schedule for a motion to compel, in which we will seek fees and costs for this specious position.

Thanks,

Andrea

Andrea Pallios Roberts

Of Counsel,

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From: Edward Takashima [mailto:etakashima@BSFLLP.com]

Sent: Monday, July 03, 2017 10:36 PM

To: QE-Waymo <qewaymo@quinnmanuel.com>

Cc: UberWaymoMoFoAttorneys <UberWaymoMoFoAttorneys@mofo.com>; BSF_EXTERNAL_UberWaymoLit

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Subject: Waymo: Uber's Deposition Lists

Counsel,

As discussed, please see below lists of additional party and non-party witnesses Uber and Ottomotto (“Uber”) presently expect they may depose, for discussion regarding objections and scheduling. We note that Uber has only been able to obtain limited discovery to date from Waymo. As a result, we reserve all rights to amend or supplement this list based on further review of discovery so far, our investigation of this case outside of formal discovery, discovery responses, document productions, depositions, and disclosures to the Court. We are also providing separate lists of parties and non-parties whom we *may* seek to depose and request that Waymo check the availability of those party witnesses. Please note that these lists are in addition to our outstanding subpoenas to Lyft, Velodyne, and Mr. Swedlow.

You asked us to identify any objections to your June 28, 2017 list of deponents. We are able to identify the following objections at this time:

- (1) We object to Waymo taking separate 30(b)(6) depositions of Uber and Ottomotto, unless Waymo will agree that Uber and Ottomotto may take separate 30(b)(6) depositions of Waymo.
- (2) We object to the deposition of Bill Gurley on the grounds that he is an apex witness, and Waymo has not articulated a basis for his deposition.
- (3) We object to the depositions of witnesses who have already been deposed, on the grounds that additional depositions would be cumulative and unduly burdensome.
- (4) We object to Waymo taking more than 15 party depositions without seeking leave of Court or an agreement between the parties.

1. Party witnesses Uber expects to depose at this time

NAME	LOCATION
30(b)(6) of Waymo	SF/PA
Ben Ingram	SF/PA
Bernard Fidric	SF/PA
Blaise Gassend	SF/PA
Chelsea Bailey	SF/PA
Dan McCloskey	SF/PA
Daniel Chu	SF/PA
David Drummond	SF/PA
Dmitri Dolgov	SF/PA
Don Harrison	SF/PA
Gary Brown	SF/PA
Gerard Dwyer	SF/PA
Jai Krishnan	SF/PA
Jennifer Haroon	SF/PA
Josh Fried	SF/PA
Luke Wachter	SF/PA
Meiling Tan	SF/PA
Stacey Sullivan	SF/PA

2. Non-party witnesses Uber expects to depose at this time

NAME	LOCATION
Alisa Baker	SF
Anthony Levandowski	SF
Eric Amdursky	SF
John Gardner	SF
Luminar	SF/PA
Quanergy	SF/PA
Valeo	SF/PA

3. Additional party witnesses Uber may depose

NAME	LOCATION
Kristinn Gudjonsson	SF/PA
Rahim Pardhan	SF/PA
Sean Noyce	SF/PA
Joanne Chin	SF/PA

4. Additional non-party witnesses Uber may depose

NAME	LOCATION
Dave Ferguson	SF/PA
Jiajun Zhu	SF/PA

Regards,

Ed

Edward H. Takashima

Partner

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